

## **REMARKS**

Claims 52-80 and 84 to 85 were pending in this application. Examiner in an Office Action dated 5/04/2007 has rejected claims 52-80, under 35 USC Section 103, Obviousness Rejection, as being unpatentable over Wong et al (US 6,592,044 B1) and has rejected claims 84 and 85 as anticipated by Brody et al (US 2001/0029485 A1).

Applicant has cancelled claims 61 to 66, 68 to 70, 72 to 76, 81 to 85 without prejudice and has added new claims 86 to 93 in lieu of the cancelled claims. In this application, now claims 52 to 60, 67, 71, 77 to 80 and 86 to 93 are pending.

Applicant has amended independent claims 52, 67, 71, and 77, as well as dependent claim 56. New claims 86 to 93 cover the same subject matter as the cancelled claims. Applicant believes, these amendments and new claims more particularly define what the applicant regards as the scope of the invention.

The amendments and additions of new claims find support throughout the specification. No new matter is believed has been added. Applicant believes the amended and new claims are not obvious over Wong in view of Brody.

Claim 52 teaches features of a dumb card that is without a processing capability in contrast to a smart card of Wong. Those who are skilled in the art of dumb cards as above for identity protection, would not be those who are skilled in the art of designing smart cards. Those who are skilled in the art of smart cards would not go out of their skill base and design a dumb card as in claim 52. Those skilled in the art are those in the art of dumb cards for identity protection and not those skilled in the smart cards. Designers of dumb cards cannot combine the features of Wong smart cards having a processing capability of a microprocessor, input and display means.

Hence the payment card of claim 52 as amended of this invention would not have been obvious to those skilled in the making of smart cards. Likewise dependent claims 53 to 60 would not have been obvious to those skilled in the making of smart cards. Hence claim 52 is not obvious over Wong in view of Brody.

Wong and Brody do not teach the features of a payment card and payment system of claims of this invention as noted below.

Claim 67 has been amended to better define the scope of the payment system that protects customer identity data from theft in merchant systems. Neither Wong nor Brody teach such a payment system, thus claim 67 is not obvious over Wong in view of Brody.

Claim 71 and 77 payment transaction method claims have been amended to better define the steps of the payment transaction method that enables a customer to use one private payment card in lieu of two or more other bankcards. Neither Wong nor Brody teach such payment transaction methods, thus independent claims 71 and 77 and dependent claims 78 to 80 are not obvious over Wong in view of Brody.

Newly added claims 86 to 87 teaches a system of identity security in use of bankcards that encodes an encrypted customer identifier on a payment card. Neither Wong nor Brody teaches such identity security system in use of bankcards, thus independent claim 86 and dependent claim 87 are not obvious over Wong in view of Brody.

Newly added claims 88 to 90 teach a wireless point of sale terminal that protects identity data from potential theft. Neither Wong nor Brody teaches such wireless point of sale terminal, thus independent claim 88 and dependent claim 89 and 90 are not obvious over Wong in view of Brody.

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New claims 91 to 93 teach a method of secure bankcard data storage. Neither Wong nor Brody teaches such method of secure bankcard data storage, thus independent claim 91 and dependent claim 92 and 93 are not obvious over Wong in view of Brody.

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### **CONCLUSION**

In conclusion, Applicant respectfully asserts that claims 52 to 60, 67, 71, 77 to 80 and 86 to 93 are patentable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 310-540-4095 for any reason that would advance the instant application to issue.

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Respectfully submitted,



20 Tara Chand Singhal, Applicant  
P O Box 5075  
Torrance, California 90510  
Telephone: (310) 540-4095

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